

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Toshiyuki Takai, et al.
U.S. Appln. No. : 10/712,118
U.S. Filing Date : November 13, 2003
Title of Invention : NON-HUMAN ANIMAL MODEL OF OLIGODENDROCYTE
DEVELOPMENTAL DISORDER
Confirm No. : 8301
Examiner : Joanne Hama, Ph.D
Art Unit : 1632

745 Fifth Avenue
New York, NY 10151

FILED VIA EFS-WEB
ON NOVEMBER 29, 2007

COMMENTS ON NOTICE OF ALLOWABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in reply to the September 25, 2007 Notice of Allowability. While no fees are believed to be due for entry of this paper, the Commissioner is hereby authorized to charge any additionally required fee for this paper, or credit any overpayment in fees for this paper, to Deposit Account No. 50-0320.

REMARKS

The Notice of Allowability did not acknowledge the claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) for the present application. Applicants wish to verify that the claim of priority to International Patent Application No. PCT/JP02/04405 and Japanese Application No. JP 2001-146338 is recognized by the U.S. Patent and Trademark Office (USPTO).

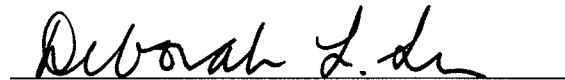
In support, Applicants draw attention to the Office Action mailed December 30, 2005 (a copy of the first page is enclosed), which acknowledges that all certified copies of the priority documents have been received. Applicants further note the Claim of Priority filed August 20, 2004, which submitted certified copies of the priority documents (a copy of the Claim of Priority and first page of the certified copies are enclosed).

Applicants invite the USPTO to contact Applicants' representatives if the claim of priority of the present application to International Patent Application No. PCT/JP02/04405 and Japanese Application No. JP 2001-146338 is not recognized. Otherwise, Applicants respectfully request that the claim of priority be acknowledged on the Notice of Allowability.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Thomas J. Kowalski

Reg. No. 32,147

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Office Action Summary

Application No.

10/712,118

Applicant(s)

TAKAI ET AL.

Examiner

Joanne Hama, Ph.D.

Art Unit

1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 6-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Filed : November 13, 2003
Serial No. : 10/712,118
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Art Unit : To Be Assigned
Examiner : To Be Assigned

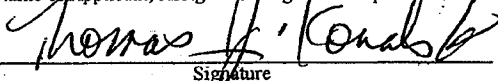
745 Fifth Avenue, New York, NY 10151

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 20, 2004

Thomas J. Kowalski, Reg. No. 32,147

(Name of Applicant, Assignee or Registered Representative)



Signature

August 20, 2004

Date of Signature

CLAIM OF PRIORITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

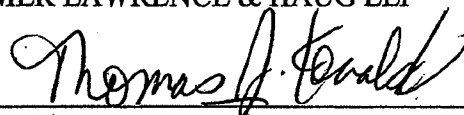
Sir:

Enclosed are certified copies of the priority documents for the above named application. Applicants hereby claim priority under 35 U.S.C. §§119 and 120 from International Patent Application No. PCT/JP02/04405 and Japanese Application No. JP 2001-146338.

Acknowledgment of the claim of priority and of the receipt of said certified copies is requested.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Thomas J. Kowalski, Esq.
Reg. No. 32,147
T: (212) 588-0800

日 本 国 特 許 庁

JAPAN PATENT OFFICE

紙添付の書類は下記の出願書類の謄本に相違ないことを証明する。
This is to certify that the annexed is a true copy of the following application as filed
with this Office.

出 願 年 月 日
Date of Application: 2002年 5月 2日

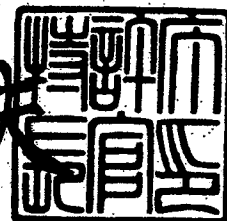
出 願 番 号
Application Number: PCT/JP02/04405

出 願 人
Applicant (s): 独立行政法人科学技術振興機構
高井 俊行
阿相 皓晃
藤原 道弘

2004年 6月17日

特許庁長官
Commissioner,
Japan Patent Office

今 井 康 夫



日本国特許庁
JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されて
いる事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed
with this Office.

出願年月日
Date of Application:

2001年 5月16日

出願番号
Application Number:

特願2001-146338

[ST. 10/C]:

[JP2001-146338]

願人
Applicant(s):

独立行政法人 科学技術振興機構

2004年 4月13日

特許庁長官
Commissioner,
Japan Patent Office

今井康夫

